

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS
LEGISLATIVE COMMITTEE**

**MINUTES
MEETING OF SEPTEMBER 6, 2003**

At 8:06 a.m. Chairman Lee Panza in Conference Room C of San Mateo City Hall, called the meeting to order.

Members Attending: Deborah Gordon, Sue Lempert, Irene O'Connell, Lee Panza, Joe Silva, and Marland Townsend.

Staff/Guests Attending: Jim Vreeland (C/CAG Member and Pacifica Councilman), Walter Martone (C/CAG Staff - County Public Works), Mary McMillan (County Legislative Manager), and Brian Moura (City of San Carlos).

1. Public comment on items not on the agenda.

None

REGULAR AGENDA

2. Minutes and summary of the meeting of August 2, 2003.

It was noted that Joe Silva was not in attendance at this meeting.

Motion: To approve the minutes as corrected. O'Connell/Townsend, unanimous.

3. Update from C/CAG Lobbyist in Sacramento (via conference call).

Wes Lujan provided a briefing on the latest news from Sacramento.

- CCAG's bill (AB 1546) has gone back to Senate Rules. It is hoped that it will be able to skip Appropriations and go directly to the Senate Floor. It will also have to go back to the Assembly for concurrence. This must all occur before September 12th. The Legislature appears to be considering our bill together with the similar bill for San Francisco (AB 574) and the bill to allow local increases to the income tax for public safety (AB 1690).
- Rumor is that the Governor is unwilling to sign AB 1412 if it becomes a blanket authorization for all cities to raise the sales tax. He wants the bill to remain limited to only specific cities. The League was requesting that the bill be expanded.
- AB 421 is a gut and amend bill to allow local jurisdictions to have their "triple flip" backfill payments tied to the growth in property tax revenues. This option would only be allowed for local jurisdictions that have HCD approved housing elements. Because of this condition, the League is opposing the bill. SB 407 is a bill to raise revenue to cover the added funds needed for jurisdictions exercising the option allowed in AB 421. Both of these bills will need rule waivers in order to move forward. Assembly Republicans are threatening not to vote in favor of any rule waivers.

- It appears that an initiative to reduce the two-third vote requirement to adopt the budget and to raise taxes, will have enough signatures to qualify for the ballot. A provision that holds back the pay to legislators if a budget is not approved on time, is being credited with boosting support for the initiative.
- SB 700 to tighten up air quality requirements has been stalled. This bill is being pushed by Valley representatives to the detriment of the Bay Area and may actually have very little positive impact on air quality. The agriculture lobby is blocking the bill unless there is an exemption for agriculture. If this bill does not pass, federal transportation funds could be in jeopardy.
- There is rumor that SB 916 has or will be amended to include a 4th bore for the Caldecott Tunnel. Staff was requested to find out if that project will displace other Bay Area projects.
- SB 440 (binding arbitration) is on the Governor's desk. It has been pushed through by Sheriff's organizations and not other law enforcement agencies.

4. Consideration of positions on various bills –

- AB 296 (Mullin) – Airports: This has become a 2 year bill and therefore no action is required at this time.
- AB 855 (Firebaugh) – Telecommunications: This bill has been amended to only provide a list of State properties available for locating transmitting/receiving facilities. The League has withdrawn its opposition and is now taking a “neutral” position.

Motion: To recommend a “neutral” position to the C/CAG Board of Directors.

Committee Member Lempert also recommended that local jurisdictions carefully review their individual franchise agreements. It appears that local jurisdictions have very little control in this area. In situations where the local jurisdiction requests some concession, the contractor turns around and raises rates on the consumers. There needs to be some research into how local jurisdictions can protect themselves from being taken advantage of in these agreements.

- AB 920 (Nakano) – Airports: This has become a 2 year bill and therefore no action is required at this time.
- ACA 14 (Steinberg) – Special taxes voting requirement: C/CAG has been requested to reconsider its “oppose” position on this bill. C/CAG opposed the bill because it dictated percents of the revenues that must be used for specific purposes. The Legislative Committee reviewed materials that were sent by the bill's sponsor, including proposed language to allow waivers of the percent requirements under certain circumstances. The Committee did not feel that these additional materials provided any justification for changing the C/CAG “oppose” position.
- SB 966 (Alarcon) – Prevailing wage: The Legislative Committee noted that it is not opposed to prevailing wage requirements. However this bill places the responsibility

entirely on local governments to monitor State requirements and communicate them to potential and current contractors. Under the current rules, this is a shared responsibility with the contractor. Jurisdictions would also be liable for attorney fees under this bill.

Motion: To recommend an “oppose” position to the C/CAG Board of Directors. Silva/Townsend, unanimous.

- SCA 11 (Alarcon) – General obligation bonds voting requirement: C/CAG has been requested to reconsider its “oppose” position on this bill. C/CAG opposed the bill because it dictated percents of the revenues that must be used for specific purposes. The Legislative Committee reviewed materials that were sent by the bill’s sponsor, including proposed language to allow waivers of the percent requirements under certain circumstances. The Committee did not feel that these additional materials provided any justification for changing the C/CAG “oppose” position.
- AB 421 (Steinberg) and SB 407 (Torlakson) – “Triple flip” option and special district contributions to ERAF. Both of these bills were discussed earlier in the meeting with Advocation.

Motion: To recommend an “oppose” position to the C/CAG Board of Directors on both of these bills, and to request that Advocation work with the League to defeat them. O’Connell/Silva, unanimous.

- Redevelopment agency funding – The rumor that the State may try to reallocate additional redevelopment agency funding to ERAF was discussed earlier in the meeting with Advocation.

Motion: To recommend an “oppose” position to the C/CAG Board of Directors on any additional attempts to raid redevelopment funds by the State, and to request that Advocation work with the League to defeat any such attempts. Lempert/O’Connell, unanimous.

5. Date for the October meeting.

After discussion it was decided to allow the Chair to determine if there will be a need for an October meeting because the Legislature will have adjourned.

6. Adjournment.

At 9:15 a.m. the meeting was adjourned.